

Message Text

CONFIDENTIAL

PAGE 01 GENEVA 02838 231140Z

47

ACTION DLOS-05

INFO OCT-01 IO-10 ISO-00 TRSE-00 ACDA-05 AGR-05 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01

H-02 INR-07 INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-01

OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06

EUR-12 /115 W

----- 005115

R 231035Z APR 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 2309

C O N F I D E N T I A L GENEVA 2838

FROM USDEL LOS

E.O. 11652: GDS

TAGS: PLOS

SUBJ: LOS: CONSULTATIONS WITH SOVIETS ON MARINE

RESEARCH, APRIL 9, 1975

1. IN RESPONSE TO THEIR REQUEST, DELEGATION MEMBERS MET WITH SOVIETS TO DISCUSS L. 26. SOVIETS INDICATED THAT FORMULA "RESEARCH RELATED TO EXPLORATION AND EXPLOITATION" OF RESOURCES COULD BE READ AS "RESEARCH CONCERNING RESOURCES." SOVIETS WENT OUT OF THEIR WAY TO MAKE POINT THAT MOST RESEARCH ON CONTINENTAL SHELF WOULD BE RESOURCE RELATED. WHEN PRESSED AS TO HOW DISAGREEMENTS ON WHETHER RESEARCH WAS OR WAS NOT RESOURCE RELATED WOULD BE RESOLVED, SOVIETS RESPONDED FIRST THAT RESEARCH VESSEL WOULD NOT BEGIN THE PROJECT UNTIL THE ISSUE WAS RESOLVED BUT LATER INDICATED THAT THEY HAD NO POSITION ON THAT QUESTION. SUBSEQUENTLY, THEY STATED THAT THEY COULD ACCEPT DISPUTE SETTLEMENT PROCEDURE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 02838 231140Z

2. SOVIETS SAID IT WOULD BE NECESSARY TO ELABORATE SOME GUIDELINES FOR DISTINGUISHING BETWEEN RESOURCE RELATED AND NON-RESOURCE RELATED RESEARCH. THEY THEN PROVIDED THE FOLLOWING AS THEIR FIRST TENTATIVE ATTEMPT TO DEFINE RESOURCE RELATED AND NON-RESOURCE RELATED RESEARCH:

QTE 1. WITHIN THE CONOMIC ZONE ESTABLISHED IN ACCORDANCE WITH THIS CONVENTION, MARINE SCIENTIFIC RESEARCH RELATED TO EXPLORATION AND EXPLOITATION OF THE LIVING AND NON-LIVING RESOURCES OF THE ZONE, I.E., THE RESEARCH WHICH MAKES IT POSSIBLE TO LOCATE THE RESOURCES, TO ASSESS THEM, TO SURVEY THE RESERVE OF THE RESOURCES AND ITS AVAILABILITY FOR COMMERCIAL EXPLOITATION AS WELL AS THE RESEARCH CARRIED OUT BY USING EXPLOSIONS AND DRILLING SHALL BE CONDUCTED WITH THE CONSENT OF THE COASTAL STATE.

2. WITHIN THE ECONOMIC ZONE ESTABLISHED IN ACCORDANCE WITH THIS CONVENTION, MARINE SCIENTIFIC RESEARCH NON-RELATED TO EXPLORATION AND EXPLOITATION OF THE LIVING AND NON-LIVING RESOURCES OF THE ZONE, I.E., MARINE SCIENTIFIC RESEARCH WITH THE EXCEPTION OF THOSE REFERRED TO IN PARAGRAPH I OF THIS ARTICLE, SHALL BE CONDUCTED AFTER PRIOR NOTIFICATION. END QTE.

3. COMMENT: DISTINCTION SET FORTH IN L 26, EVEN WITH THE PRELIMINARY DEFINITION CREATES A VAGUE AND AMBIGUOUS DISTINCTION. HOWEVER, IT IMPOSES ON RESEARCH STATE VIRTUALLY ALL THE OBLIGATIONS WE PROPOSED IN L 44 BUT ALSO GIVES COASTAL STATE CONSENT FOR RESEARCH "RELATED TO THE EXPLORATION AND EXPLOITATION OF RESOURCES." THUS, IT SHOULD BE MORE ATTRACTIVE TO DEVELOPING COUNTRIES THAN OUR APPROACH. OUR PRESENT POSTURE IS TO CONTINUE TO SUPPORT STRONGLY L 44 AND TO INQUIRE ABOUT LDC RECEPTION TO L 26 AND CONTINUE TO TREAT SOVIET DISTINCTION AS SEPARATING SCIENTIFIC RESEARCH FROM COMMERCIAL EXPLORATION. SOVIETS, HOWEVER, APPEAR TO TREAT DISTINCTION AS MERELY SCIENTIFIC RESEARCH RELATED TO RESOURCES OR UNRELATED.

DALE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 GENEVA 02838 231140Z

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, TERRITORIAL SEA LIMIT, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA02838
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750142-0737
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750425/aaaaaxms.tel
Line Count: 107
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 18 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 JUN 2003 by BoyleJA>; APPROVED <30 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: CONSULTATIONS WITH SOVIETS ON MARINE RESEARCH, APRIL 9, 1975
TAGS: PLOS, UR
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006